



## DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR

### I. PROJECT SUMMARY

**Project Name:** SkyView Ridge BLA  
**Project Case No:** 15-BLA-0005

**Proponent:** Hansen Homes at SkyView Ridge, LLC, Richard D. Hanson  
**Property Owner:** Lot A CARL JAMES and PAMELA JEAN MALONE  
Lot B SHOOTING STAR FARMS LLC

#### Description

The applicant (Hansen Homes at Sky View Ridge, LLC) has submitted a Boundary Line Adjustment (BLA) application to adjust the boundaries between two parcels identified as Snohomish County Assessor Tax Numbers 28063600100500 and 28063600101000 located at 13221 191<sup>st</sup> Avenue SE, Monroe, Washington 98272-7728 and 13207 191<sup>st</sup> Avenue SE, Monroe, Washington.

The properties are under the ownership of Carl James and Pamela Jean Malone and Shooting Star Farms, LLC. The properties are located in the R4 zoning district and are designated R2-5 dwellings per acre on the City of Monroe Comprehensive Plan Map.

The boundary line adjustment proposes to adjust the parcel sizes from (Original) and to (Adjusted) the following:

#### ORIGINAL

Lot A = 210,412 sq. ft.  
Lot B = 217,324 sq. ft.

#### ADJUSTED (PROPOSED)

Lot A = 37,555 sq. ft.  
Lot B = 390,181 sq. ft.

### II. SUMMARY OF DECISION

The City of Monroe Municipal Code (MMC) requires an administrative review for BLA's. The BLA application was submitted on May 20, 2015.

Staff administratively reviewed the project for compliance with the policies, standards, and regulations of the City of Monroe. The BLA is **approved** based on the Findings of Fact and Conclusions and shall be subject to Conditions of Approval.

**Notice of Decision Date: Wednesday, August 5, 2015**

**End of Appeal Period: Wednesday, August 26, 2015**

### **III. FINDINGS OF FACT**

1. The two parcels are located at 13221 191<sup>st</sup> Avenue SE and 13207 191<sup>st</sup> Avenue SE in Monroe, Washington. A single family residence is located on Lot 1. Lot 2 is vacant. Both lots will have lot frontage to 191<sup>st</sup> Avenue SE.
2. The applicant requested a Boundary Line Adjustment (BLA) to move existing lot lines between two (2) lots of record identified as Snohomish County Assessor Tax Numbers 28063600100500 and 28063600101000.
3. The Comprehensive Plan designation for the two parcels is "R2-5 Dwelling Units per Acre". The two parcels are zoned "R4" zoning district.
4. The boundary line adjustment proposes to adjust the parcel sizes from and to the following:

#### **ORIGINAL**

Lot A = 210,412 sq. ft.

Lot B = 217,324 sq. ft.

#### **ADJUSTED (PROPOSED)**

Lot A = 37,555 sq. ft.

Lot B = 390,181 sq. ft.

5. The minimum lot size in the R4 zoning district is: 7,500 square feet, minimum lot width is 65' and maximum lot coverage is fifty (50) percent (50%). The proposed lots meet these requirements. The single family dwelling on proposed Lot 1 meets setback requirements.
6. Boundary line adjustments are categorically exempt from SEPA per WAC 197-11-800(6)(F). However, in this case, the applicant submitted the boundary line adjustment concurrently with a preliminary plat application (Skyview Ridge) believing that the boundary line adjustment would be SEPA exempt.
7. Preliminary plats are not exempt from SEPA. WAC 197-11-305 (1)(b) states that categorically exempt proposals are not exempt if it is a segment of a proposal that includes a series of actions physically or functionally related to each other, some of which are exempt and some of which are not. The same WAC section also states, that the agency or applicant may proceed with the exempt aspects of the proposals, prior to conducting environmental review, if the requirements of WAC [197-11-070](#) are met."

WAC 197-11-305 (1)(b) states,

"(1) If a proposal fits within any of the provisions in Part Nine of these rules, the proposal shall be categorically exempt from threshold determination requirements (WAC [197-11-720](#)) except as follows:

- (a) The proposal is not exempt under WAC [197-11-908](#), critical areas.
- (b) The proposal is a segment of a proposal that includes:
  - (i) A series of actions, physically or functionally related to each other, some of which are categorically exempt and some of which are not; or
  - (ii) A series of exempt actions that are physically or functionally related to each other, and that together may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction. If so, that agency shall be the lead agency, unless the agencies with jurisdiction agree that another agency should be the lead agency. Agencies may petition the department of ecology to resolve disputes (WAC [197-11-946](#)).

For such proposals, the agency or applicant may proceed with the exempt aspects of the proposals, prior to conducting environmental review, if the requirements of WAC [197-11-070](#) are met.”

8. WAC 197-11-070(1) under the section heading entitled “Limitations on actions during SEPA process” states,

“(1) Until the responsible official issues a final determination of nonsignificance or final environmental impact statement, no action concerning the proposal shall be taken by a governmental agency that would:

- (a) Have an adverse environmental impact; or
- (b) Limit the choice of reasonable alternatives.”

Approval of the BLA would not have an adverse environmental impact. The intent is to separate the developed portion of a lot that has a developed single family residence from the balance of the site which is to be processed for the preliminary plat. The preliminary plat is still subject to SEPA. The choice of reasonable alternatives is generally not limited since it is not uncommon for a BLA to separate property with an existing developed single family dwelling from property being platted. In this case, the property remaining for the BLA is of sufficient size to be platted.

Further, as action on this BLA does not guarantee approval of the preliminary plat application, does not guarantee approval in the form the preliminary plat has been submitted, nor preclude conditions of approval, then reasonable alternatives for the preliminary plat will remain available.

9. The proposed boundary line adjustment will not detrimentally affect access, design or other public safety and welfare concerns relevant to the plats original approval.
10. The proposed boundary line adjustment will not violate either restrictive covenants contained on the face of the final plat or conditions of preliminary plat approval.



11. The proposed boundary line adjustment will not violate applicable zoning code requirements or increase the nonconforming aspects of any lot relative to the zoning and land use regulations.
12. The proposed boundary line adjustment will not invalidate any property line easements unless said adjustment establishes such replacement easements.
13. The proposed boundary line adjustment provides legal descriptions as certified by the surveyor as correctly representing a survey by the surveyor or under his direction.

#### **IV. CONCLUSIONS OF THE BOUNDARY LINE ADJUSTMENT**

Based upon the Findings of Fact specified above and the Conditions of Approval included herein, all code criteria for approval of this boundary line adjustment application are met and the application should be approved.

#### **V. CONDITIONS OF APPROVAL**

The requested Boundary Line Adjustment is **APPROVED** subject to the following conditions:

1. A mylar copy of the approved boundary line adjustment shall be submitted to the City. The mylar shall contain the following information:
  - a) The acknowledged signatures of all parties having an interest in lots whose lines have been adjusted, as disclosed by the ownership certificate.
  - b) A signature of a professional land surveyor which attests to the accuracy of the legal description or survey describing the adjusted lot lines.
  - c) Designated official approval block.
2. Subsequent to the receipt of all required signatures, the applicant shall record the revised drawing with the Snohomish County auditor and shall return a mylar copy, a blue line copy and a copy reduced to eight and one-half by eleven inches of the recorded drawing, containing a county registration number, to the city-designated official.

**ENTERED this 5th day of August 2015**



**David Osaki, AICP**  
**Community Development Director**

#### **APPEALS**

Parties of Record may file an appeal of this decision within fifteen (15) working days from issuance of this Notice of Decision in conformance with MMC 17.30.080. Appeals must be submitted to the City of Monroe by **5 p.m., August 26, 2015**. Appeals shall be in writing and accompanied by an appeal fee as outlined in the city's most current fee resolution.